

**VILLAGE OF ALMONT**  
**ZONING ORDINANCE AMENDMENT**  
**ADULT ENTERTAINMENT AND BUSINESS USES**  
**ORDINANCE NO. 159.14**

An ordinance to amend the Almont Village Zoning Ordinance, adopted December 6, 1994, to define and regulate personal service establishments and adult entertainment and business uses.

THE VILLAGE OF ALMONT ORDAINS:

The following specified sections of the Almont Village Zoning Ordinance are amended and revised to provide as follows:

Section 13.01.8. Personal service establishments, which perform services on the premises, such as, but not limited to, repair shops for watches, radios, televisions, shoes, and similar items, tailor shops, beauty shops and barber shops; but specifically excluding uses cited in Section 15.02.5.A.

Section 14.01.4. Personal service establishments, which perform services on the premises, including, but not limited to, hair styling, photographers, tailors, tanning salons and shoe repair; but specifically excluding uses cited in Section 15.02.5.A.

Section 15.01.2. Personal service establishments, which perform services on the premises, such as, but not limited to, repair shops for watches, radios, televisions, shoes, and similar items, tailor shops, beauty shops, barber shops, and self-service laundries; but specifically excluding uses cited in Section 15.02.5.A.

Section 15.02.5 ADULT ENTERTAINMENT AND BUSINESS USES.

- A. Adult bookstores, adult motion picture theaters, adult novelty stores, massage parlors, arcades, tattoo parlors, body-piercing establishments, cabarets, or similar establishments, subject to the requirements of this subsection.
- B. It is recognized that there are some uses, which because of their very nature, have serious objectionable operational characteristics, particularly when several of them are concentrated in close proximity. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. Therefore, no two (2) uses listed in paragraph A of this subsection, shall be located within one thousand (1,000) feet of each other.

C. The Planning Commission may waive the location requirement established in subsection B herein for adult entertainment and business establishments if the following findings are made:

1. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Ordinance will be observed.
2. That the proposed use will not enlarge or encourage the development of a "skid row" area.
3. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation.
4. That all applicable regulations of this Ordinance will be observed.

D. 1. It shall be unlawful to hereafter establish any adult bookstore, adult motion picture theater, adult novelty store, massage parlor, arcades, tattoo parlors, body-piercing establishment, cabaret or similar establishment within five hundred (500) feet of any building containing a residential dwelling unit. This prohibition may be waived if the person applying for the waiver shall file with the Village Planning Commission a petition, which indicates approval of the proposed regulated use by fifty-one (51) percent of the persons owning, residing or doing business within a radius of five hundred (500) feet of the location of the proposed use. The petitioner shall attempt to contact all eligible locations within this radius and must maintain a list of all addresses where no contact was made.

2. The Village Clerk shall adopt rules and regulations governing the procedure for securing the petition of consent provided for in this Section of the Ordinance. The rules shall provide that the circulator of the petition requesting a waiver shall subscribe to an affidavit attesting to the fact that the petition was circulated in accordance with the rules of the Village Clerk and that the circulator personally witnessed the signatures on the petition and that the same were affixed to the petition by the person whose name appeared thereon.
3. The Village Planning Commission shall not consider the waiver of location requirements set forth in subsections B and C until the above-described petition shall have been filed and verified.

The undersigned President and Clerk of the Village of Almont hereby certify that this Amendatory Ordinance was adopted at a meeting of the Almont Village Council held on the 21<sup>st</sup> day of January 2003 and was published in the *Tri-City Times* on the 29<sup>th</sup> day of January 2003. The Ordinance was made effective as of said date of publication.

  
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Sally McCrea  
Clerk

  
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Steven Schneider  
President